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Attorneys for Respondents
CHEVRON CORPORATION and CHEVRON U.S.A.
INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE APPLICATION OF THEOPHILUS G.
METSAGHARUN, *et al.* FOR AN ORDER
GRANTING LEAVE TO ISSUE
SUBPOENAS FOR THE TAKING OF
DISCOVERY PURSUANT TO 28 U.S.C.
1782

Case No. 12-80274 MISC JSW (KAW)
AMENDED
STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING HEARING
DATE

Courtroom: 4
Judge: Hon. Kandis A. Westmore

In accordance with Local Rule 7-12, the parties in the above-captioned action, through their respective counsel, stipulate as follows:

Whereas Applicants Theophilus G. Metsagharun, Jackson Omareye, Lofty Ogbe, Bawo Omadeli and Gbejule Okoturo filed an Application for Discovery Pursuant to 28 U.S.C. § 1782 on November 29, 2012 (the “Application”);

Whereas, after the parties agreed to and filed a stipulated briefing schedule and hearing date on December 17, 2012, the case was reassigned, first to Judge Samuel Conti, then to Judge Thelton Henderson, and finally to Judge Jeffrey White;

Whereas the parties each understood the reassignment orders to require the hearing to be recalendared in accordance with the schedule of the judge to whom the case had been reassigned.

See Dkts. 21, 22 & 23 (“[a]ll hearing dates presently scheduled are vacated and motions should be

renoticed for hearing before the judge to whom the case has been reassigned”);

Whereas the parties are still meeting and conferring regarding plaintiffs’ application for discovery;

IT IS HEREBY STIPULATED THAT:

1. The hearing for the Application set for January 17, 2013 at 11:00 a.m. and the associated briefing schedule shall be vacated;

2. The parties will continue to work together to agree to a new stipulated hearing date and briefing schedule that accords with the Court’s calendar and the parties’ schedules.

Pursuant to Local Rule 5-1(i)(3), I, David L. Wallach, attest that concurrence in filing this document has been obtained from the other signatory.

Dated: January 4, 2013

JONES DAY

By: /S/ David L. Wallach

David L. Wallach

Counsel for Respondents
CHEVRON CORPORATION and
CHEVRON U.S.A. INC.

Dated: January 4, 2013

EARTHRIGHTS INTERNATIONAL

By: /S/ Richard Herz

Richard Herz (*pro hac vice*)

Counsel for Applicants
THEOPHILUS G. METSAGHARUN, et
al.

PURSUANT TO THE FORGOING STIPULATION, IT IS SO ORDERED THAT:

The hearing and briefing schedule are vacated as set forth above.

Dated: January 7, 2013


The Honorable Kandis Westmore